

TERRY SIMERSON,)
)
 Plaintiff,)
)
 vs.) **ORDER**
)
)
 RICHIE SIMMONS, et al.,)
)
 Defendants.)
)

Case 3:24-cv-00908-KDB Document 4 Filed 10/31/24 Page 1 of 2

II. DISCUSSION

In an action arising under 42 U.S.C. § 1983, venue is established by 28 U.S.C. § 1391(b), which provides: (b) A civil action may be brought in: (1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

Therefore, under Section 1391, Plaintiff's action may be heard in the venue where the issue substantially arose, which is the Middle District of North Carolina. Moreover, because 66 of the 68 Defendants reside there, the Middle District is the most appropriate venue for this action. Pursuant to 28 U.S.C. § 1406(a), the Court may dismiss this action, or, if it is in the interest of justice, transfer this action to the United States District Court for the Middle District of North Carolina. The Court will transfer this action to the Middle District of North Carolina.

III. CONCLUSION

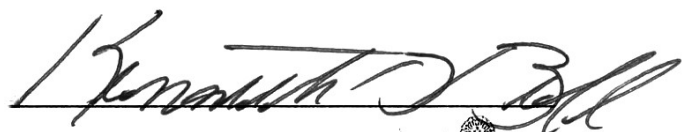
For the reasons stated herein, the Court transfers this action to the Middle District of North Carolina.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's action is transferred to the Middle District of North Carolina.
2. The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: October 31, 2024



Kenneth D. Bell
United States District Judge

